

SUPERIOR COURT OF NJ,
FILED

AUG 10 2006

Andrew J. Patis
Acting Clerk

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ524-06-12

Superior Court

Docket Number

06 - 08 - 0 0090 - S

STATE OF NEW JERSEY)

v.)

ORDER OF VENUE

ROBERT K. THOMPSON)

HAROLD E. FOX)

DAVID M. GAVIN)

CARMELA L. THOMPSON)

KAREN M. WOOD)

JANICE A. ECKSTEIN)

REMY P. DEVARENNE, SR.)

and)

SANDRA L. BIELANSKI)

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this *10th* day of *August*, 2006, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Mercer be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court

shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Mercer for filing.



Maria Marinari Sypek, U.S.C.

SUPERIOR COURT OF N.J.
FILED

AUG 10 2006

Theresa J. Pata
Acting Clerk

STATE OF NEW JERSEY)

v.)

ROBERT K. THOMPSON)

HAROLD E. FOX)

DAVID M. GAVIN)

CARMELA L. THOMPSON)

KAREN M. WOOD)

JANICE A. ECKSTEIN)

REMY P. DEVARENNE, SR.)

and)

SANDRA L. BIELANSKI)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ 524-06-12

Superior Court

Docket Number

06 - 08 - 00090 **MS**

INDICTMENT

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Pattern of Official Misconduct - Second Degree)

ROBERT K. THOMPSON

between on or about September 27, 1999 and on or about February 1, 2006, at the City of Trenton, in the County of Mercer, and diverse other locations within the State of New Jersey, elsewhere, and within the jurisdiction of this Court, did

commit two or more acts of Official Misconduct, in violation of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, that is, the said ROBERT K. THOMPSON, then and there being a public servant, to wit:

Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, the said ROBERT K. THOMPSON having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of his duties, did commit two or more acts of official misconduct, at least one of which was a crime of the second degree, including but not limited to those acts and omissions described in Counts Five, Six, Eight, Nine, Eleven, Twelve, Fourteen, Fifteen, Seventeen, Eighteen, Twenty-Three, Twenty-Four, and Counts Twenty-Nine through Thirty-Four, which allegations are incorporated by reference as if fully

set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWO

(Pattern of Official Misconduct - Second Degree)

DAVID M. GAVIN

between on or about September 27, 1999 and on or about December 5, 2004, at the City of Trenton, in the County of Mercer, and diverse other locations within the State of New Jersey, elsewhere, and within the jurisdiction of this Court, did commit two or more acts of Official Misconduct, in violation of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, that is, the said DAVID M. GAVIN, then and there being a public servant, to wit: the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the

proper discharge of his duties, did commit two or more acts of official misconduct, at least one of which was a crime of the second degree, including but not limited to those acts and omissions described in Counts Eleven, Twelve, Fourteen, Fifteen, Nineteen through Twenty-Eight and Counts Thirty-One through Thirty-Six, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THREE

(Pattern of Official Misconduct - Second Degree)

SANDRA L. BIELANSKI

between on or about September 27, 1999 and on or about December 5, 2004, at the City of Trenton, in the County of Mercer, and diverse other locations within the State of New Jersey, elsewhere, and within the jurisdiction of this Court, did aid or agree or attempt to aid Robert K. Thompson, Harold E. Fox, David M. Gavin, Carmela L. Thompson, Karen M. Wood and Janice A. Eckstein, and other employees of the State of New Jersey Department of the Treasury whose identities are known to the Grand Jurors, in committing two or more acts of official misconduct, in violation of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, at least one of which was a crime of the second degree, including but not limited to those acts and omissions described in Counts Five, Eight, Eleven, Fourteen, Twenty-Seven, Twenty-Nine, Thirty-One, Thirty-Seven and Forty, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(Pattern of Official Misconduct - Second Degree)

REMY P. DEVARENNE, SR.

between on or about September 27, 1999 and on or about August 15, 2003, at the City of Trenton, in the County of Mercer, and diverse other locations within the State of New Jersey, elsewhere, and within the jurisdiction of this Court, did aid or agree or attempt to aid Robert K. Thompson, Harold E. Fox, David M. Gavin and other employees of the State of New Jersey Department of the Treasury whose identities are known to the Grand Jurors, in committing two or more acts of official misconduct, in violation of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, at least one of which was a crime of the second degree, including but not limited to those acts and omissions described in Counts Nineteen, Twenty-One, Twenty-Five and Thirty-Three, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FIVE

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

CARMELA L. THOMPSON

and

SANDRA L. BIELANSKI

between on or about August 1, 2004 and on or about September 21, 2004, at the Township of Edison, in the County of Middlesex, at the Township of Hamilton and at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another in excess of \$200, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said CARMELA L. THOMPSON, being a public servant, that is, a manager in the Division of Taxation, the said ROBERT K. THOMPSON and CARMELA L. THOMPSON each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or

furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of their duties, did knowingly refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they were prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing them in the discharge of their official duties, the said ROBERT K. THOMPSON and CARMELA L. THOMPSON knowingly refrained from declining transportation, entertainment, liquor, food and beverages in the forms of a limousine trip to and from their home in Hamilton, New Jersey to New York City worth approximately \$960; tickets to a Broadway show ("Wicked") valued at approximately \$960; liquor and cigars worth approximately \$90; beverages and/or food at an establishment known as Del Frisco's Double Eagle, New York, New York valued at approximately \$130; food and/or beverages at an establishment

known as Osteria al Doge, New York, New York, valued at approximately \$310; and snacks and a CD soundtrack of Broadway show worth approximately more than \$20, for themselves and/or another, offered by the said SANDRA L. BIELANSKI and other employees, whose identities are known to the Grand Jurors, of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT SIX

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

and

CARMELA L. THOMPSON

on or about September 22, 2004, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, its own Code of Ethics and other related laws, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said CARMELA L. THOMPSON, being a public servant, that is, a manager in the Division of Taxation, the said ROBERT K. THOMPSON and CARMELA L. THOMPSON each having thereby official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell

or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, knowingly refrained from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, they refrained from disclosing to the Department of the Treasury Ethics Liaison Officer their receipt of transportation, entertainment, liquor, food and beverages in the forms of a limousine trip to and from their home in Hamilton, New Jersey to New York City worth approximately \$960; tickets to a Broadway show ("Wicked") valued at approximately \$960; liquor and cigars worth approximately \$90; beverages and/or food at an establishment known as Del Frisco's Double Eagle, New York, New York valued at approximately \$130; food and/or beverages at an

establishment known as Osteria al Doge, New York, New York valued at approximately \$310; and snacks and a CD soundtrack of Broadway show worth approximately more than \$20, for themselves and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT SEVEN

(Offer of Unlawful Benefit to Public Servant for Official
Behavior - Third Degree)

SANDRA L. BIELANSKI

between on or about August 1, 2004 and on or about September 21, 2004, at the Township of Edison, in the County of Middlesex; at the Township of Hamilton and at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did directly or indirectly confer or agree to confer benefits not allowed by law to a public servant valued in excess of \$200, that is, the said SANDRA L. BIELANSKI did directly or indirectly confer or agree to confer transportation, entertainment, liquor, food and beverages in the forms of a limousine trip to and from Hamilton, New Jersey to New York City worth approximately \$960; tickets to a Broadway show ("Wicked") valued at approximately \$960; liquor and cigars worth approximately \$90; beverages and/or food at an establishment known as Del Frisco's Double Eagle, New York, New York valued at approximately \$130; food and/or beverages at an establishment known as Osteria al Doge, New York, New York, valued at approximately \$310; and snacks and a CD sound track of Broadway show worth approximately more than \$20, not allowed by law to Robert Thompson and Carmela Thompson, both public servants employed by the New Jersey Division of Taxation, contrary to the

provisions of N.J.S.A. 2C:27-11b, and against the peace of this State, the government and dignity of the same.

COUNT EIGHT

(Official Misconduct - Third Degree)

ROBERT K. THOMPSON

CARMELA L. THOMPSON

and

SANDRA L. BIELANSKI

between on or about August 1, 2004 and on or about September 29, 2004, at the Township of Edison, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said CARMELA L. THOMPSON, being a public servant, that is, a manager in the Division of Taxation, the said ROBERT K. THOMPSON and CARMELA L. THOMPSON each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display

good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of their duties, did knowingly refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they were prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing them in the discharge of their official duties, the said ROBERT K. THOMPSON and CARMELA L. THOMPSON knowingly refrained from declining spa services, including a manicure and massage treatment at The Cliffhouse Spa in Ogunquit, Maine, valued at approximately \$165.20, for themselves and/or another, offered by the said SANDRA L. BIELANSKI, then an employee of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT NINE

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

and

CARMELA L. THOMPSON

on or about September 30, 2004, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, its own Code of Ethics and other related laws, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said CARMELA L. THOMPSON, being a public servant, that is, a manager in the Division of Taxation, the said ROBERT K. THOMPSON and CARMELA L. THOMPSON each having thereby official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell

or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, knowingly refrained from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, they refrained from disclosing to the Department of the Treasury Ethics Liaison Officer their receipt of spa services, including a manicure and massage treatment at The Cliffhouse Spa in Ogunquit, Maine, valued at approximately \$165.20, for themselves and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TEN

(Offer of Unlawful Benefit to Public Servant for Official
Behavior - Fourth Degree)

SANDRA L. BIELANSKI

between on or about August 1, 2004 and on or about September 29, 2004, at the Township of Edison, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did directly or indirectly confer or agree to confer benefits not allowed by law to a public servant, that is, the said SANDRA L. BIELANSKI did directly or indirectly confer or agree to confer spa services, including a manicure and massage treatment at The Cliffhouse Spa in Ogunquit, Maine, valued at approximately \$165.20, not allowed by law to Carmela Thompson, a public servant employed by the New Jersey Division of Taxation, contrary to the provisions of N.J.S.A. 2C:27-11b, and against the peace of this State, the government and dignity of the same.

COUNT ELEVEN

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

DAVID M. GAVIN

and

SANDRA L. BIELANSKI

between on or about March 1, 2004 and on or about April 1, 2004, at the Township of Edison and the City of New Brunswick, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another in excess of \$200, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the

performance of OSI Collection Services, Inc., the said ROBERT K. THOMPSON and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of their duties, did knowingly refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they were prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing them in the discharge of their official duties, the said ROBERT K. THOMPSON and DAVID M. GAVIN knowingly refrained from declining liquor, food and/or beverages at an establishment known as Al Dente in Piscataway, New Jersey valued at approximately \$407.03, for themselves and/or another, offered

by the said SANDRA L. BIELANSKI and other employees, whose identities are known to the Grand Jurors, of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWELVE

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

and

DAVID M. GAVIN

on or about April 2, 2004, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing

statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said ROBERT K. THOMPSON and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, knowingly refrained from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, they refrained from disclosing to the Department of the Treasury Ethics Liaison Officer their receipt of liquor, food and/or beverages at an establishment known as Al Dente in

Piscataway, New Jersey valued at approximately \$407.03, for themselves and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTEEN

(Offer of Unlawful Benefit to Public Servant for Official
Behavior - Third Degree)

SANDRA L. BIELANSKI

between on or about March 1, 2004 and on or about April 1, 2004,
at the Township of Edison and the City of New Brunswick, in the
County of Middlesex, at the City of Trenton, in the County of
Mercer, elsewhere, and within the jurisdiction of this Court, did
directly or indirectly confer or agree to confer benefits not
allowed by law to a public servant valued in excess of \$200, that
is, the said SANDRA L. BIELANSKI did directly or indirectly
confer or agree to confer liquor, food and/or beverages at an
establishment known as Al Dente in Piscataway, New Jersey valued
at approximately \$407.03, not allowed by law to Robert Thompson
and David Gavin, both public servants employed by the New Jersey
Division of Taxation, contrary to the provisions of N.J.S.A.
2C:27-11b, and against the peace of this State, the government
and dignity of the same.

COUNT FOURTEEN

(Official Misconduct - Third Degree)

ROBERT K. THOMPSON

DAVID M. GAVIN

and

SANDRA L. BIELANSKI

between on or about March 1, 2004 and on or about April 2, 2004, at the Township of Edison and the City of New Brunswick, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the

performance of OSI Collection Services, Inc., the said ROBERT K. THOMPSON and DAVID M. GAVIN, each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of their duties, did knowingly refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they were prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing them in the discharge of their official duties, the said ROBERT K. THOMPSON and DAVID M. GAVIN knowingly refrained from declining liquor, food and/or beverages at an establishment known as Tumulty's Pub in New Brunswick, New Jersey valued at approximately more than \$132, for themselves and/or

another, offered by the said SANDRA L. BIELANSKI and other employees, whose identities are known to the Grand Jurors, of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FIFTEEN

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

and

DAVID M. GAVIN

on or about April 5, 2004, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing

statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said ROBERT K. THOMPSON and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, knowingly refrained from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, they refrained from disclosing to the Department of the Treasury Ethics Liaison Officer their receipt of liquor, food and/or beverages at an establishment known as Tumulty's Pub

in New Brunswick, New Jersey valued at approximately more than \$132, for themselves and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT SIXTEEN

(Offer of Unlawful Benefit to Public Servant for Official
Behavior - Fourth Degree)

SANDRA L. BIELANSKI

between on or about March 1, 2004 and on or about April 2, 2004,
at the Township of Edison and the City of New Brunswick, in the
County of Middlesex, at the City of Trenton, in the County of
Mercer, elsewhere, and within the jurisdiction of this Court, did
directly or indirectly confer or agree to confer benefits not
allowed by law to a public servant, that is, the said SANDRA L.
BIELANSKI did directly or indirectly confer or agree to confer
liquor, food and/or beverages at an establishment known as
Tumulty's Pub in New Brunswick, New Jersey valued at
approximately more than \$132, not allowed by law to Robert
Thompson and David Gavin, both public servants employed by the
New Jersey Division of Taxation, contrary to the provisions of
N.J.S.A. 2C:27-11b, and against the peace of this State, the
government and dignity of the same.

COUNT SEVENTEEN

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

between on or about December 9, 2002 and on or about February 1, 2006, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for himself or another in excess of \$200, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of his duties and to transact the business of his office frankly and openly in the light of

public scrutiny so that the public might know and be able to know and judge him and his work fairly, knowingly refrained from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, knowing he had received gifts, favors, services or other things of value and with purpose to obtain additional gifts, favors, services or other things of value from representatives of OSI Collection Services, Inc., totaling more than \$200, which circumstances created an impression of a conflict of interest that might interfere with the impartial performance of his duties as a public official, the said ROBERT K. THOMPSON, when presented with an allegation that OSI Collection Services, Inc., was billing the State of New Jersey for services that were not in fact provided, refrained from performing his duty to recuse himself from the process of determining whether any action should be taken regarding the allegation of false billing, and refrained from performing his duty to direct the allegation to another employee of the Department of the Treasury who would not be perceived to be under a conflict of interest for evaluation, which duties were imposed upon him by the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, or were clearly inherent in the nature of his office, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A.

2C:2-6, and against the peace of this State, the government and
dignity of same.

COUNT EIGHTEEN

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

between on or about July 1, 2005 and on or about August 31, 2005, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for himself or another in excess of \$200, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of his duties and to transact the business of his office frankly and openly in the light of public scrutiny so

that the public might know and be able to know and judge him and his work fairly, did commit an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized or he was committing such act in an unauthorized manner, that is, knowing he had received gifts, favors, services or other things of value and with purpose to obtain additional gifts, favors, services or other things of value from representatives of OSI Collection Services, Inc., totaling more than \$200, which circumstances created an impression of a conflict of interest that might interfere with the impartial performance of his duties as a public official, the said ROBERT K. THOMPSON recommended that a State of New Jersey contract with OSI Collection Services, Inc., be extended six months, contrary to the provisions of N.J.S.A. 2C:30-2a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT NINETEEN

(Official Misconduct - Second Degree)

DAVID M. GAVIN

and

REMY P. DEVARENNE, SR.

between on or about June 1, 2001 and on or about June 18, 2001, at the Township of Edison, in the County of Middlesex, at the Borough of Far Hills, in the County of Somerset, and at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for himself or another in excess of \$200, the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to

avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of his duties, did knowingly refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office; that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, he was prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing him in the discharge of his official duties, the said DAVID M. GAVIN knowingly refrained from declining fees to play golf, food and beverages at Fiddler's Elbow Golf and Country Club in Far Hills, New Jersey valued at approximately \$663.34, for himself and/or another, offered by the said REMY P. DEVARENNE, SR., then an employee of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY

(Official Misconduct - Second Degree)

DAVID M. GAVIN

on or about June 19, 2001, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of

interest, to refrain from activities which interfere with the proper discharge of his duties and to transact the business of his office frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge him and his work fairly, knowingly refrained from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, he had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, he refrained from disclosing to the Department of the Treasury Ethics Liaison Officer his receipt of fees to play golf, food and beverages at Fiddler's Elbow Golf and Country Club in Far Hills, New Jersey valued at approximately \$663.34, for himself and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY-ONE

(Official Misconduct - Second Degree)

DAVID M. GAVIN

and

REMY P. DEVARENNE, SR.

between on or about June 1, 2002 and on or about June 11, 2002, at the Township of Edison, in the County of Middlesex, and at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for himself or another in excess of \$200, the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of

interest, and to refrain from activities which interfere with the proper discharge of his duties, did knowingly refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, he was prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing him in the discharge of his official duties, the said DAVID M. GAVIN knowingly refrained from declining fees to play golf at The Tee-Up for Transplants Golfing Tournament sponsored by the Sharing Network Organ and Tissue Donation Services and held at the Royce Brook Country and Golf Club in Hillsborough, New Jersey, which was valued at approximately \$1600, for himself and/or another, offered by the said REMY P. DEVARENNE, then an employee of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY-TWO

(Official Misconduct - Second Degree)

DAVID M. GAVIN

on or about June 12, 2002, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of

interest, to refrain from activities which interfere with the proper discharge of his duties and to transact the business of his office frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge him and his work fairly, knowingly refrained from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, he had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, he refrained from disclosing to the Department of the Treasury Ethics Liaison Officer his receipt of fees to play golf at The Tee-Up for Transplants Golfing Tournament sponsored by the Sharing Network Organ and Tissue Donation Services and held at the Royce Brook Country and Golf Club in Hillsborough, New Jersey, which was valued at approximately \$1600, for himself and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY-THREE

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

and

DAVID M. GAVIN

between on or about November 1, 2004 and on or about November 17, 2004, at the Township of Edison and the City of New Brunswick, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another in excess of \$200, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said ROBERT K.

THOMPSON and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of their duties, did knowingly refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they were prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing them in the discharge of their official duties, the said ROBERT K. THOMPSON and DAVID M. GAVIN knowingly refrained from declining liquor, food and/or beverages at two establishments in New Brunswick, New Jersey, including Clydz of New Brunswick, valued at approximately \$715.43, for themselves and/or others, offered by employees, whose identities are known

to the Grand Jurors, of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY-FOUR

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

and

DAVID M. GAVIN

on or about November 18, 2004, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing

statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said ROBERT K. THOMPSON and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, knowingly refrained from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, they refrained from disclosing to the Department of the Treasury Ethics Liaison Officer their receipt of liquor, food and/or beverages at two establishments in New Brunswick, New

Jersey, including Clydz of New Brunswick, valued at approximately \$715.43, for themselves and/or others, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY-FIVE

(Official Misconduct - Second Degree)

DAVID M. GAVIN

and

REMY P. DEVARENNE, SR.

between on or about April 1, 2003 and on or about May 14, 2003, at the Township of Edison, in the County of Middlesex, at the Township of Hillsborough, in the County of Somerset, and at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for himself or another in excess of \$200, the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to

avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of his duties, did knowingly refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, he was prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing him in the discharge of his official duties, the said DAVID M. GAVIN knowingly refrained from declining fees to play golf at the Royce Brook Golf and Country Club in Hillsborough, New Jersey valued at approximately \$300 for himself and/or another, offered by the said REMY P. DEVARENNE, SR., then an employee of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY-SIX

(Official Misconduct - Second Degree)

DAVID M. GAVIN

on or about May 15, 2003, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of

interest, to refrain from activities which interfere with the proper discharge of his duties and to transact the business of his office frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge him and his work fairly, knowingly refrained from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, he had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, he refrained from disclosing to the Department of the Treasury Ethics Liaison Officer his receipt of fees to play golf at the Royce Brook Golf and Country Club in Hillsborough, New Jersey valued at approximately \$300 for himself and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY-SEVEN

(Official Misconduct - Second Degree)

HAROLD E. FOX

DAVID M. GAVIN

and

SANDRA L. BIELANSKI

between on or about February 1, 2001 and on or about March 21, 2001, at the Township of Edison, in the County of Middlesex, at the City of Trenton and the Borough of Princeton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another in excess of \$200, the said HAROLD E. FOX, being a public servant, that is, the Deputy Director of the Division of Taxation, who was then responsible for encouraging voluntary tax compliance, administering the state's tax laws and for providing leadership and direction for all employees of the Division of Taxation as it sought to attain its mission, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said HAROLD E. FOX and DAVID M.

GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of their duties, did knowingly refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they were prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing them in the discharge of their official duties, the said HAROLD E. FOX and DAVID M. GAVIN knowingly refrained from declining food and beverages at an establishment in the Princeton area valued at approximately \$1,665.37, for themselves and/or another, offered by the said SANDRA L. BIELANSKI and other employees, whose identities are known to the

Grand Jurors, of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY-EIGHT

(Official Misconduct - Second Degree)

HAROLD E. FOX

and

DAVID M. GAVIN

on or about March 22, 2001, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said HAROLD E. FOX, being a public servant, that is, the Deputy Director of the Division of Taxation, who was then responsible for encouraging voluntary tax compliance, administering the state's tax laws and for providing leadership and direction for all employees of the Division of Taxation as it sought to attain its mission, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection

Services, Inc., the said HAROLD E. FOX and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, knowingly refrained from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, they refrained from disclosing to the Department of the Treasury Ethics Liaison Officer their receipt of food and beverages at an establishment in the Princeton area valued at approximately \$1,665.37, for themselves and/or another, from OSI Collection

Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWENTY-NINE

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

HAROLD E. FOX

and

SANDRA L. BIELANSKI

between on or about September 1, 2002 and on or about September 10, 2002, at the Township of Edison, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another in excess of \$200, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, the said HAROLD E. FOX, being a public servant, that is, the Deputy Director of the Division of Taxation, who was then responsible for encouraging voluntary tax compliance, administering the state's tax laws and for providing leadership and direction for all employees of the Division of Taxation as it sought to attain its mission, the said ROBERT K. THOMPSON, and HAROLD E. FOX each having thereby the official

functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of their duties, did knowingly refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they were prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing them in the discharge of their official duties, the said ROBERT K. THOMPSON and HAROLD E. FOX knowingly refrained from declining food, beverages and liquor at an establishment known as Restaurant 821 in Wilmington, Delaware, valued at approximately \$632.75, for themselves and/or another, offered by the said SANDRA L. BIELANSKI and other employees, whose identities are known to the Grand Jurors, of OSI Collection

Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

and

HAROLD E. FOX

on or about September 11, 2002, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, the said HAROLD E. FOX, being a public servant, that is, the Deputy Director of the Division of Taxation, who was then responsible for encouraging voluntary tax compliance, administering the state's tax laws and for providing leadership and direction for all employees of the Division of Taxation as it sought to attain its

mission, the said ROBERT K. THOMPSON and HAROLD E. FOX each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, knowingly refrained from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, they refrained from disclosing to the Department of the Treasury Ethics Liaison Officer their receipt of food, beverages and liquor at an establishment known as Restaurant 821 in Wilmington, Delaware valued at approximately \$632.75, for themselves and/or

another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY-ONE

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

HAROLD E. FOX

DAVID M. GAVIN

and

SANDRA L. BIELANSKI

between on or about September 1, 1999 and on or about September 27, 1999, at the Township of Edison, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another in excess of \$200, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, the said HAROLD E. FOX, being a public servant, that is, the Deputy Director of the Division of Taxation, who was then responsible for encouraging voluntary tax compliance, administering the state's tax laws and for providing leadership and direction for all employees of the Division of Taxation as it sought to attain its mission, and the said DAVID

M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said ROBERT K. THOMPSON, HAROLD E. FOX and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of their duties, did knowingly refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they were prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the

gift, favor, service or other thing of value was given for the purpose of influencing them in the discharge of their official duties, the said ROBERT K. THOMPSON, HAROLD E. FOX and DAVID M. GAVIN knowingly refrained from declining food and beverages at an establishment known as the Chart House in Philadelphia valued at approximately \$425.76, for themselves and/or another, offered by the said SANDRA L. BIELANSKI and other employees, whose identities are known to the Grand Jurors, of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY-TWO

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

HAROLD E. FOX

and

DAVID M. GAVIN

on or about September 28, 1999, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, the said HAROLD E. FOX, being a public servant, that is, the Deputy Director of the Division of Taxation, who was then responsible for encouraging voluntary tax compliance, administering the state's tax laws and for providing leadership and direction for all

employees of the Division of Taxation as it sought to attain its mission, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said ROBERT K. THOMPSON, HAROLD E. FOX and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, knowingly refrained from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics

created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, they refrained from disclosing to the Department of the Treasury Ethics Liaison Officer their receipt of food and beverages at an establishment known as the Chart House in Philadelphia valued at approximately \$425.76, for themselves and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY-THREE

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

HAROLD E. FOX

DAVID M. GAVIN

and

REMY P. DEVARENNE, SR.

between on or about June 1, 2000 and on or about June 28, 2000, at the Township of Edison, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another in excess of \$200, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, the said HAROLD E. FOX, being a public servant, that is, the Deputy Director of the Division of Taxation, who was then responsible for encouraging voluntary tax compliance, administering the state's tax laws and for providing leadership and direction for all employees of the Division of Taxation as it sought to attain its mission, and the said DAVID

M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said ROBERT K. THOMPSON, HAROLD E. FOX and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of their duties, did knowingly refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they were prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the

gift, favor, service or other thing of value was given for the purpose of influencing them in the discharge of their official duties, the said ROBERT K. THOMPSON, HAROLD E. FOX and DAVID M. GAVIN knowingly refrained from declining lunchtime food and beverages at an establishment known as Diamond's in Trenton valued at approximately \$209.60, for themselves and/or another, offered by the said REMY P. DEVARENNE, SR., then an employee of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY-FOUR

(Official Misconduct - Second Degree)

ROBERT K. THOMPSON

HAROLD E. FOX

and

DAVID M. GAVIN

on or about June 29, 2000, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said ROBERT K. THOMPSON, being a public servant, that is, Director of the Division of Taxation, who was then responsible for administering the state's tax laws, and was then responsible for supervising the performance of services by a company known at that time as OSI Collection Services, Inc., to the people of the State of New Jersey through the New Jersey Department of the Treasury, Division of Taxation, the said HAROLD E. FOX, being a public servant, that is, the Deputy Director of the Division of Taxation, who was then responsible for encouraging voluntary tax compliance, administering the state's tax laws and for providing leadership and direction for all

employees of the Division of Taxation as it sought to attain its mission, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said ROBERT K. THOMPSON, HAROLD E. FOX and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, knowingly refrained from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, that is, knowing that, under the Department of the Treasury Code of Ethics

created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, they had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, they refrained from disclosing to the Department of the Treasury Ethics Liaison Officer their receipt of lunchtime food and beverages at an establishment known as Diamond's in Trenton valued at approximately \$209.60, for themselves and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY-FIVE

(Official Misconduct - Second Degree)

HAROLD E. FOX

and

DAVID M. GAVIN

between on or about April 1, 2004 and on or about May 31, 2004, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for themselves or another in excess of \$200, the said HAROLD E. FOX, being a public servant, that is, the Deputy Director of the Division of Taxation, who was then responsible for encouraging voluntary tax compliance, administering the state's tax laws and for providing leadership and direction for all employees of the Division of Taxation as it sought to attain its mission, and the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., the said HAROLD E. FOX and DAVID M. GAVIN each having thereby the official functions and duties, among others, to perform all their duties in a legal and proper manner without receipt of unlawful

compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct themselves with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of their duties and to transact the business of their offices frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge them and their work fairly, did commit acts relating to their offices but constituting the unauthorized exercise of their official functions, knowing that such acts were unauthorized or they were committing such acts in an unauthorized manner, that is, knowing they had received gifts, favors, services or other things of value and with purpose to obtain additional gifts, favors, services or other things of value from representatives of OSI Collection Services, Inc., totaling more than \$200, which circumstances created an impression of a conflict of interest that might interfere with the impartial performance of their duties as public officials, the said HAROLD E. FOX and DAVID M. GAVIN participated in the selection of other State government employees to serve on an Evaluation Committee, which committee was to evaluate bids to later provide the services then provided by OSI Collection Services, Inc., and expecting that OSI

Collection Services, Inc., would submit a bid to continue to provide those services, contrary to the provisions of N.J.S.A. 2C:30-2a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY-SIX

(Official Misconduct - Second Degree)

DAVID M. GAVIN

between on or about January 1, 2005 and on or about May 10, 2005, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for himself or another in excess of \$200, the said DAVID M. GAVIN, being a public servant, that is, the Assistant Director of Compliance Activity of the Division of Taxation, who was then responsible for enforcing the State's tax laws uniformly, equitably and efficiently in an effort to maximize revenues and to promote voluntary compliance with the taxing statutes, and was then responsible for supervising the performance of OSI Collection Services, Inc., and having thereby the official functions and duties, among others, to perform all his duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct himself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of his duties and to transact the business of his office frankly and openly in the light of public scrutiny so

that the public might know and be able to know and judge him and his work fairly, did commit an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized or he was committing such act in an unauthorized manner, that is, knowing he had received gifts, favors, services or other things of value from representatives of OSI Collection Services, Inc., totaling more than \$200, which circumstances created an impression of a conflict of interest that might interfere with the impartial performance of his duties as a public official, and with purpose to obtain additional gifts, favors, services or other things of value from representatives of OSI Collection Services, Inc., totaling more than \$200, and with further purpose to obtain a benefit for OSI in excess of \$200, namely, in the evaluation of responses to the request for proposals, the said DAVID M. GAVIN participated in the formulation of specifications for the request for proposals for the rebidding of the tax delinquency contract, contrary to the provisions of N.J.S.A. 2C:30-2a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY-SEVEN

(Official Misconduct - Second Degree)

KAREN M. WOOD

and

SANDRA L. BIELANSKI

between on or about July 1, 2004 and on or about September 29, 2004, at the Township of Edison, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for herself or another in excess of \$200, the said KAREN M. WOOD, being a public servant, that is, the Assistant Director of Technical Services for the Division of Taxation, who was then responsible for providing the regulatory and technical framework for the Division's enforcement, audit and property tax administration, and having thereby the official functions and duties, among others, to perform all her duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct herself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of her duties, did knowingly refrain from

performing a duty imposed upon her by law or clearly inherent in the nature of her office, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, she was prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing her in the discharge of her official duties, the said KAREN WOOD knowingly refrained from declining a manicure, pedicure, a paraffin treatment, stone massage and other spa services at The Cliffhouse Spa in Ogunquit, Maine, valued at approximately \$365.80, for herself and/or another, offered by the said SANDRA L. BIELANSKI, then an employee of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY-EIGHT

(Official Misconduct - Second Degree)

KAREN M. WOOD

on or about September 30, 2004, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said KAREN M. WOOD, being a public servant, that is, the Assistant Director of Technical Services for the Division of Taxation, who was then responsible for providing the regulatory and technical framework for the Division's enforcement, audit and property tax administration, and having thereby the official functions and duties, among others, to perform all her duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct herself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of her duties and to transact the business of

her office frankly and openly in the light of public scrutiny so that the public might know and be able to know and judge her and her work fairly, knowingly refrained from performing a duty imposed upon her by law or clearly inherent in the nature of her office, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, she had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, she refrained from disclosing to the Department of the Treasury Ethics Liaison Officer her receipt of a manicure, pedicure, a paraffin treatment, stone massage and other spa services at The Cliffhouse Spa in Ogunquit, Maine, valued at approximately \$365.80, for herself and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTY-NINE

(Offer of Unlawful Benefit to Public Servant for Official
Behavior - Third Degree)

SANDRA L. BIELANSKI

between on or about July 1, 2004 and on or about September 29, 2004, at the Township of Edison, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did directly or indirectly confer or agree to confer benefits not allowed by law to a public servant valued in excess of \$200, that is, the said SANDRA L. BIELANSKI did directly or indirectly confer or agree to confer a manicure, pedicure, a paraffin treatment, stone massage and other spa services at The Cliffhouse Spa in Ogunquit, Maine, valued at approximately \$365.80, not allowed by law to Karen Wood, a public servant employed by the New Jersey Division of Taxation, contrary to the provisions of N.J.S.A. 2C:27-11b, and against the peace of this State, the government and dignity of the same.

COUNT FORTY

(Official Misconduct - Third Degree)

JANICE A. ECKSTEIN

and

SANDRA L. BIELANSKI

between on or about August 1, 2004 and on or about September 29, 2004, at the Township of Edison, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to obtain a benefit for herself or another, the said JANICE A. ECKSTEIN, being a public servant, that is, an Assistant Director in the Division of Revenue, who was then responsible for maintaining complete and accurate accounting records for effective and efficient revenue collection and administration, and having thereby the official functions and duties, among others, to perform all her duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct herself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, and to refrain from activities which interfere with the proper discharge of her duties, did knowingly refrain from performing a duty imposed upon her by law

or clearly inherent in the nature of her office, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, she was prohibited from accepting any gift, favor, service or other thing of value of more than trivial or nominal value under circumstances from which it might reasonably be inferred that the gift, favor, service or other thing of value was given for the purpose of influencing her in the discharge of her official duties, the said JANICE A. ECKSTEIN knowingly refrained from declining a beauty treatment at The Cliffhouse Spa in Ogunquit, Maine, valued at approximately \$95, for herself and/or another, offered by the said SANDRA L. BIELANSKI, then an employee of OSI Collection Services, Inc., the vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FORTY-ONE

(Official Misconduct - Second Degree)

JANICE A. ECKSTEIN

on or about September 30, 2004, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, acting with the purpose to injure or to deprive another of a benefit, that is, with purpose to injure the Department of the Treasury or deprive the Department of the Treasury of the opportunity to enforce the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, its own Code of Ethics and other related laws, the said JANICE A. ECKSTEIN, being a public servant, that is, an Assistant Director in the Division of Revenue, who was then responsible for maintaining complete and accurate accounting records for effective and efficient revenue collection and administration, and having thereby the official functions and duties, among others, to perform all her duties in a legal and proper manner without receipt of unlawful compensation from parties involved in contracts to sell or furnish services to the State, to display good faith, honesty and integrity, and to be impervious to corrupting influences, to conduct herself with undivided loyalty to the public trust, to avoid activities that may appear to give rise to a conflict of interest, to refrain from activities which interfere with the proper discharge of her duties and to transact the business of her office frankly and

openly in the light of public scrutiny so that the public might know and be able to know and judge her and her work fairly, knowingly refrained from performing a duty imposed upon her by law or clearly inherent in the nature of her office, that is, knowing that, under the Department of the Treasury Code of Ethics created pursuant to the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-23, she had a duty to report the receipt of any gift, favor, service or other thing of value to the Ethics Liaison Officer of the New Jersey Department of the Treasury, she refrained from disclosing to the Department of the Treasury Ethics Liaison Officer her receipt of a beauty treatment at The Cliffhouse Spa in Ogunquit, Maine, valued at approximately \$95, for herself and/or another, from OSI Collection Services, Inc., a vendor then doing business with the New Jersey Department of the Treasury, contrary to the provisions of N.J.S.A. 2C:30-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FORTY-TWO

(Offer of Unlawful Benefit to Public Servant for Official Behavior - Fourth Degree)

SANDRA L. BIELANSKI

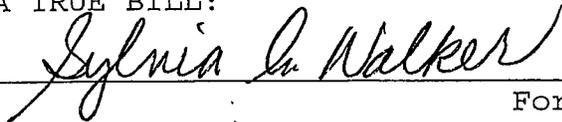
between on or about August 1, 2004 and on or about September 29, 2004, at the Township of Edison, in the County of Middlesex, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did directly or indirectly confer or agree to confer benefits not allowed by law to a public servant, that is, the said SANDRA L. BIELANSKI did directly or indirectly confer or agree to confer a beauty treatment at The Cliffhouse Spa in Ogunquit, Maine, valued at approximately \$95, not allowed by law to Janice Eckstein, a public servant employed by the New Jersey Division of Revenue, contrary to the provisions of N.J.S.A. 2C:27-11b, and against the peace of this State, the government and dignity of the same.

GREGORY A. PAW, DIRECTOR



Patricia Prezioso, A.A.G.
Deputy Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 8-10-06